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2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
4 SAN JOSE DIVISION

5 ROBERT GORDON, CASE NO. 5:10-cv-05399 EJD

6 Plaintiff(s), ORDER STAYING CASE; VACATING
7 v. CASE MANAGEMENT CONFERENCE

8 METROPOLITAN LIFE INSURANCE
9 COMPANY, et. al.,

10 Defendant(s).
11 _____ /

12 Having reviewed the parties' Joint Case Management Statement (see Docket Item No. 40),
13 the court finds that a Case Management Conference is unnecessary at this time. Accordingly, the
14 conference scheduled for December 14, 2012, is VACATED. In addition, the court issues the
15 following order in light of the anticipated administrative appeal:

- 16 1. This case is STAYED until a final ruling has been issued on Plaintiff's anticipated
17 appeal of the benefits determination.
- 18 2. Due to what may be a period of extended inactivity while the appeal progresses, the
19 clerk of the court shall administratively close this file.
- 20 3. The parties shall provide notice to the court within one week of the issuance of the
21 final appellate determination. In the notice, the parties shall request that this matter
22 be reopened and that a case management conference be scheduled.
- 23 4. This Order shall not prevent either party from seeking to reopen this case and lift or
24 extend the stay should the circumstances warrant.

25 **IT IS SO ORDERED.**

26 Dated: December 12, 2012


27 EDWARD J. DAVILA
United States District Judge

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